

Jay E. Smith (CA SBN 162832)  
STEPTOE & JOHNSON LLP  
633 West 5<sup>th</sup> Street  
Suite 700  
Los Angeles, CA 90071  
Telephone: (213) 439-9430  
Facsimile: (213) 439-9599  
[jsmith@steptoe.com](mailto:jsmith@steptoe.com)

William Karas  
Kenneth P. Ewing  
STEPTOE & JOHNSON LLP  
1330 Connecticut Avenue, NW  
Washington, D.C. 20036  
Telephone: (202) 429-3000  
Facsimile: (202) 429-3902  
[wkaras@steptoe.com](mailto:wkaras@steptoe.com)  
[kewing@steptoe.com](mailto:kewing@steptoe.com)

Attorneys for Defendant JAPAN AIRLINES  
INTERNATIONAL CO., LTD.

Additional Counsel Appear on Signature Page

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

Y. HATA & CO., LIMITED,  
on behalf of itself and all others  
similarly situated

Plaintiff,

v.

AIR FRANCE-KLM; BRITISH  
AIRWAYS, PLC; ASIANA AIRLINES  
CO., LTD.; JAPAN AIRLINES  
INTERNATIONAL CO., LTD.;  
CATHAY PACIFIC AIRWAYS LTD.;  
DEUTSCHE LUFTHANSA AG;  
SCANDINAVIAN AIRLINES  
SYSTEMS; UNITED AIRLINES, INC.;  
UAL CORP.; CARGOLUX AIRLINES  
INTERNATIONAL SA; LAN  
AIRLINES SA; POLAR AIR CARGO,  
INC.; ATLAS AIR WORLDWIDE  
HOLDINGS, INC.; KOREAN

CASE NO. CV 06-01916-SC

**STIPULATION PURSUANT TO  
LOCAL RULE 6-1(a) TO EXTEND  
TIME TO RESPOND TO  
COMPLAINT**

ORDER

1 AIRLINES CO., LTD.; SINGAPORE  
 2 AIRLINES, LTD.; ACE AVIATION  
 3 HOLDINGS, INC.; AIR CANADA;  
 4 AMERICAN AIRLINES, INC.; AMR  
 5 CORPORATION; SINGAPORE  
 6 AIRLINES CARGO PTE LTD.; and  
 7 VIRGIN ATLANTIC AIRWAYS LTD.,

8 Defendants.

9 Pursuant to Local Rule 6-1(a), Defendants Air France-KLM and Japan  
 10 Airlines International Co., Ltd. respectfully request that this Court enter an order  
 11 extending the time in which Defendants must answer or otherwise plead to this  
 12 matter until the later of (1) the date when the Defendant would otherwise be  
 13 required to file a response pursuant to Federal Rule of Civil Procedure 12, or (2) 45  
 14 days after the JPML rules on a motion pending in *In re Air Cargo Shipping*  
 15 *Services Antitrust Litigation* (MDL No. 1775) and a consolidated complaint is filed  
 16 by all Plaintiffs in the single transferee Court and served on Defendants.<sup>1</sup> Plaintiff  
 17 Y. Hata & Co., Limited has consented to the requested extension. In support of  
 18 this motion, Defendants state:

19 1. The Complaint in this matter was filed on March 13, 2006. It seeks  
 20 relief under the Sherman Act and the Clayton Act against 20 defendants on behalf  
 21 of a putative class.

22 2. More than 50 similar actions have been filed in various jurisdictions  
 23 around the country.

24 3. Plaintiffs in various Districts have filed motions to consolidate and

25 <sup>1</sup> It is agreed between all parties that this agreed motion does not constitute a  
 26 waiver of any defense including, but not limited to, the defenses of lack of personal  
 27 or subject-matter jurisdiction or improper venue. The Defendants expressly  
 28 reserve their right to raise all defenses in response to either the current complaint  
 or any consolidated amended complaint that may subsequently be filed relating to  
 this action.

1 transfer before the Judicial Panel on Multidistrict Litigation ("JPML"). The JPML  
2 is considering motions to consolidate in a matter captioned *In re Air Cargo*  
3 *Shipping Services Antitrust Litigation*, MDL No. 1775.


4 4. Some, but not all, of the Defendants in this case have been served.  
5 Some may contest service.

6 WHEREFORE, the Defendants request that this Court grant an extension of  
7 the Defendants' time to answer, move or otherwise plead in response to the  
8 complaint until the later of (1) the date when the Defendant would otherwise be  
9 required to file a response pursuant to Federal Rule of Civil Procedure 12, or (2) 45  
10 days after the JPML rules on a motion pending in *In re Air Cargo Shipping*  
11 *Services Antitrust Litigation* (MDL No. 1775) and a consolidated complaint is filed  
12 by Plaintiffs in the single transferee Court and served on Defendants.

13 Respectfully submitted,

14  
15  
16 Dated: June 12, 2006

KERSHAW, CUTTER & RATINOFF LLP

17   
18 \_\_\_\_\_  
19 Curtis Brooks Cutter  
20 Kershaw, Cutter & Ratinoff LLP  
21 980 9<sup>th</sup> Street  
22 19<sup>th</sup> Floor  
23 Sacramento, CA 95814  
24 T: (916) 448-9800  
25 F: (916) 669-4499


26 *Attorneys for Plaintiff*

STEPTOE & JOHNSON LLP

  
Jay E. Smith (SBN 162832)  
Elizabeth M. Johnson  
William Karas  
Kenneth P. Ewing  
STEPTOE & JOHNSON LLP  
633 West Fifth Street, Seventh Floor  
Los Angeles, CA 90071  
T: (213) 439-9400  
F: (213) 429-9599

*Attorneys for Defendant Japan Airlines  
International Company Ltd.*

LINKLATERS

  
James R. Warnot, Jr.  
LINKLATERS  
1345 Avenue of the Americas  
New York, NY 10105  
T: (212) 903-9000  
F: (212) 903-9100

*Attorneys for Defendant Air France-KLM*

